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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,680	12/04/2003	Michael John Vidion Moreton	006405.P005	3149

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EXAMINER	
VUONG, QUOCHIEN B	
ART UNIT	PAPER NUMBER
2618	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/729,680	MORETON, MICHAEL JOHN VIDION	
	Examiner	Art Unit	
	Quochien B. Vuong	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *23* is/are allowed.

6)☒ Claim(s) *1,2,5,9,15-17 and 20-22* is/are rejected.

7)☒ Claim(s) *3,4,6-8,10-14,18 and 19* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claim 20 is objected to because of the following informalities: "**processir**" on line 1 should be "**processor**". Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 15, 16, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is not clear what included and not included in the processor of claim 15, wireless Local Area Network node of claim 16, and wireless Local Area Network system of claim 20.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1, 2, 5, 9, 15-17, and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cafarelli et al. (US 6,693,888) in view of Leshets et al. (US 6,031,466).

Regarding claim 1, Cafarelli et al. (figure 1) disclose a method of processing a data frame at a node in a wireless Local Area Network (column 4, line 64 – column 7, line 47). Cafarelli et al. do not specifically disclose receiving a first part of a transmitted frame identifying, within that first part of the transmitted frame, a frame destination address; and terminating reception of a second part of the transmitted frame when it is determined that the frame destination address indicates that the transmitted frame is not intended for that node. However, Leshets et al. (figures 2 and 4) disclose a method of processing a data frame at a node in a wireless network, the method comprising: receiving a first part of a transmitted frame (column 5, lines 13-18); identifying, within that first part of the transmitted frame, a frame destination address (column 5, lines 19-35); and terminating reception of a second part of the transmitted frame when it is determined that the frame destination address indicates that the transmitted frame is not intended for that node (column 5, lines 36-48 and 62-67). Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to adapt the teaching of Leshets et al. to the method of Cafarelli et al. in order to save power for the node.

As to claim 2, Cafarelli et al. disclose wherein the first part of the transmitted frame further includes a transmission duration indicator, which indicates the expected duration of exchange of information related to the transmitted frame, after the transmission thereof (figure 2A; and column 7, lines 48-64).

As to claim 5, Leshets et al. disclose wherein the node is switchable between first and second node operating modes, the transmitted frame being receivable in the first operating mode but not receivable in the second node operating mode (column 5, lines 62-67).

As to claim 9, Leshets et al. disclose wherein the second mode is selected from the list comprising: a low power consumption mode; a current channel usage detection mode; and an alternative channel search mode (column 5, lines 62-67, disclose step 412 – reducing receiver power consumption).

As to claim 15, the combination of Cafarelli et al. (figure 1) and Leshets et al. (figure 2) disclose a processor within a wireless Local Area Network access node, configured to perform the method step of claim 1 (Leshets et al., column 3, lines 34-56).

As to claim 16, Leshets et al. (figure 2) disclose a wireless Local Area Network node including the processor of claim 15 (column 3, lines 34-56).

Regarding claim 17, the combination of Cafarelli et al. (figure 1) and Leshets et al. (figures 2 and 4) discloses a wireless Local Area Network access node, comprising: a receiver (220) adapted to receive a first part of a transmitted frame within the wireless Local Area Network (column 3, lines 34-50; and column 5, lines 13-18); and a processor means (208) configured to: (a) detect the frame destination address from the first part of

the transmitted frame (column 3, lines 44-52; and column 5, lines 19-25); and, (b) terminate reception of the second part of the frame when it is determined that the frame destination address indicates that the transmitted frame is not intended for that node (Leshets et al, column 3, lines 51-56; and column 5, lines 62-67).

As to claim 20, the combination of Cafarelli et al. (figure 1) and Leshets et al. (figure 2) discloses a wireless Local Area Network system including the processor of claim 15 (Leshets et al., column 3, lines 34-56).

As to claim 21, the combination of Cafarelli et al. (figure 1) and Leshets et al. (figure 2) discloses a wireless Local Area Network node including the access node of claim 17 (Leshets et al., column 3, lines 34-56).

As to claim 22, Cafarelli et al. disclose wherein the wireless Local Area Network is an 802.11x network (figure 1; and column 4, lines 64-66).

Allowable Subject Matter

7. Claim 22 is allowed over the cited prior art.

Regarding claim 32, Cafarelli et al. (figure 1) disclose a method of processing a data frame at a node in a wireless Local Area Network (column 4, line 64 – column 7, line 47). And Leshets et al. (figures 2 and 4) disclose a method of processing a data frame at a node in a wireless network, the method comprising: receiving a first part of a transmitted frame (column 5, lines 13-18); identifying, within that first part of the transmitted frame, a frame destination address (column 5, lines 19-35); and terminating reception of a second part of the transmitted frame when it is determined that the frame

destination address indicates that the transmitted frame is not intended for that node (column 5, lines 36-48 and 62-67). However, Cafarelli et al. and Leshets et al. fail to teach or fairly suggest the method further comprising the step of terminating reception of a second part of the transmitted frame when it is determined that the frame destination address indicates that the transmitted frame is not intended for that node and the duration field indicates the duration of exchange of information is less than a predetermined time.

8. Claims 3, 4, 6-8, 10-14, 18, and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 3, Cafarelli et al. and Leshets et al. disclose the method of claim 2 above. However, Cafarelli et al. and Leshets et al. fail to teach or fairly suggest the method further comprising the step of terminating reception of the said second part of the transmitted frame only when the transmission duration indicator indicates that the said expected duration of transmission is less than a predetermined threshold

Regarding claim 18, Cafarelli et al. and Leshets et al. disclose access node of claim 17 above. However, Cafarelli et al. and Leshets et al. fail to teach or fairly suggest the access node further comprising a timer and a switching means for switching between first and second modes of the node in dependence upon an output of that timer.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Quick, Jr. (US 5,673,259) disclose random access communications channel for data services.

Kalwitz (US 5,696,899) discloses method and apparatus for adaptively determining the format of data packets carried on a local area network.

Asano et al. (US 5,905,965) disclose radio communication apparatus.

Wan (US 6,044,069) discloses power management system for mobile station.

Sorrells et al. (US 7,054,296) disclose wireless local area network (WLAN) technology and applications including techniques of universal frequency translation.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quochien B. Vuong whose telephone number is (571) 272-7902. The examiner can normally be reached on M-F 9:30-18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Quochien B. Vuong
July 09, 2007.

QUOCHIEN B. VUONG
PRIMARY EXAMINER